MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know from the member whether the charges framed against the officer were found true when they were enquired into?

MR. K. GEORCE (*Chief Secretary to Government*): The result is given in the answer to part (*c*).

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): With reference to part (*b*), that the Government do not propose to disclose the charges—I do not want to know the charges—may I know the result of the investigation and whether the charges framed against the officer were found true?

MR. K. GEORGE (*Chief Secretary to Government*): It is answered in part (*c*).

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*); It is not answered.

MR. K. GEORGE (*Chief Secretary to Government*): It is answered. It says:

"(*c*) The charges were duly enquired into and as a result, the Government found that the Apicultural Assistant was lacking in tact and propriety in his conduct and that his attitude towards his official superior had not been what should be expected from a subordinate of his position."

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know whether those charges were based on this finding?

MR. K. GEORGE (*Chief Secretary to Government*). That is not the only charge. There were other charges also.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): With reference to the other charges, may I know whether they were also found true?

MR. K. GEORGE (*Chief Secretary to Government*): The Officer has been held blamable.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know where the Officer is working now—in the same department or in any other department?

MR. K. GEORGE (*Chief Secretary to Government*): In the Agricultural Department.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know whether there is any complaint against him now?

MR. K. GEORGE (*Chief Secretary to Government*): I have not heard.

Issue of a Circular by the Commissioner of Police.

328. MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Will the Government be pleased to call for and lay on the table a copy of circular No. 17, dated the 16th February, 1929, issued by the Commissioner of Police, Travancore?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Copy* of the circular is placed on the table.

Vide Appendix LIV—pages 1078-1079.

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MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know, Sir, whether a Police officer in charge of a station can, by merely looking at a person who is injured, say that the offence which caused the injury will fall under Section 324 or 326 of the T. P. C.?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It will depend upon the circumstances of each case. I cannot give an answer to a general or hypothetical question.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Is it possible for a layman like the police officer to understand whether a particular offence falls under Section 324 or 326 of the T. P. C.?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It may be possible or it may not be possible.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Sir, my question is whether the police officer in charge of a police station does possess any expert knowledge to decide a technical question of this character?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It does not always require technical knowledge.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): To decide whether a particular injury will fall under a particular Section?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): In my opinion it does not always require technical knowledge. It may sometimes be needed but not always.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know whether the effect of the G. O. is to over-ride the provisions of the Criminal Procedure Code?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No, Sir; no such thing is intended.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know, Sir, whether the Government are aware that on the basis of this G. O. corrupt officers are exploiting the people?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirhar Vakil*): Government are not aware. If the member is making any such assertion I shall communicate it to the Police Commissioner.

I take it that by "G. O." Mr. Nilakanta Pillai is referring to the Circular.

Loss of a Sanskrit Grandha from the office of the Curator for the Publication of Sanskrit Manuscripts.

329. **MR. K. N. KESAVAN NAMPUTIRIPAD** (*Jenmies*): Will the Government be pleased to state:

(*a*) whether any manuscript *grandha* which has been copied at Government expense is missing from the office of the Curator for the publication of Sanskrit manuscripts; and

(*b*) if the manuscript and the transcript copies are missing, the action taken by the Government in the matter?

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Appendix LIV.

***Vide* Answer to Question No. 328.**

Office of the Commissioner of Police, Trivandrum
16th February 1929.

Standing Circular No. 17 of 29.

In all cases reported under Section 324 or 325, T. P. C. the Station House Officer must first examine the injured person and satisfy himself whether the injury is serious or not, and whether the offence falls under Section 326.

If, on such examination, the Station House Officer finds that the injury is serious or an offence under Section 326 has been committed he should start his investigation at once after sending the injured person to the hospital and on receipt of the medical certificate, if the injury is not certified to be serious, and the offence does not fall under Section 326, he may then refuse investigation under Section 139 (*b*) Cr. P. C.

(2) If, however, on examining the injured person, the Station House Officer finds that the injuries are not serious, and the offence does not fall under Section 326 T. P. C., he need not enter into an investigation of the case, but should send the injured person to the hospital for medical opinion.

If the medical certificate is in accordance with his own opinion, the Station House Officer may then refuse investigation under Section 139 (*b*) Cr. P. C. In case the medical officer certifies the injury to be serious or that grievous hurt has been caused by dangerous weapons or means, the Station House Officer should at once commence his investigation and dispose of the case according to law.

(3) The following points should also be considered whether such cases should be investigated or not:—

1. The severity of the injury.
2. The weapon used.
3 The circumstances under which the offence was committed, *e. g.*, whether it was a casual quarrel or the work of a local bully who should be put down, or gross ferocity.

(4) When the Police decide to prosecute they should press the Magistrate not to allow compounding.

(5) The following remarks written by a distinguished Police Officer are worthy of attention.

" A great deal of time is wasted in the investigation and prosecution of compoundable offences under Section 324 I. P. C. and of offences under kindred sections. This waste of time is particularly felt in a district like this where the police have more than they can do to deal with *real* criminals. These cases fail in courts either because the

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parties are unwilling to proceed with them or because they have exaggerated them to satisfy some private spite, or because compromises are effected.

In the ordinary run of such cases investigation should be refused under Section 157 C. P. C. (139 Tr. C. P. C.) the wording of which Station House Officers should now peruse.

This does not apply, of course to cases in which the safety of the *public*, as a whole, is concerned, or where the accused is an old offender, and it must be a matter for the exercise of discretion in each case. It would apply to drunken squabbles and to private quarrels where the injuries are slight."

(6) It will be noted that one of the discriminations is:—"Does this case affect the general public or not?"

This is the guide for the Station House officer.

Even if the parties go to the Magistrate there is no need for alarm as reference to the Police under T. Cr. P. C. Section 180 or 138 should be made sparingly.

L. A. BISHOP.
Commissioner of Police.

To

All Officers.

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